



2012 Legislative Session Summary
Department of Social and Health Services
Office of Policy and External Relations
March 12, 2012

Child Welfare Reform

E2SHB 2264 Child Welfare/Contracting

- Repeals and clarifies some provisions established by 2SHB 2106 (2009) related to performance-based contracting and the establishment of demonstration sites to contract for child welfare services, including case management.
- Clarifies the definition of case management.
- Provides authority for the Department to enter into performance-based contracts with one or more network administrators for the provision of family support and related services by December 1, 2013.
- Requires the Department to consult with specified stakeholders to identify the array of family support and related services for inclusion in the procurement.
- Authorizes the Department to enter into performance-based contracts for additional services, other than case management, in future procurements.

ESSB 6555 Child Protective Services

- Authorizes the Department to use an alternative response to allegations of child abuse or neglect.
- Requires the Department to implement a Family Assessment Response (FAR) within Child Protective Services (CPS) by December 1, 2013.
- Permits the Department to implement the FAR on a phased-in basis, by geographical area.
- Requires the Department to submit an implementation plan to the Legislature by December 31, 2012.
- Directs the Department to conduct client satisfaction surveys.
- Modifies the process to appeal CPS investigative findings and specifies items to be included in written notification to alleged perpetrators.

SHB 2263 Reinvesting Savings Resulting from Changes in the Child Welfare System

- Requires the Department to develop a method for calculating savings from decreases in foster care caseload.
- Requires the State Treasurer to transfer the amount of savings into a specific account to be used for additional child welfare services.

E2SHB 2536 Children/Services Delivery

Requires the Department to accomplish the following in collaboration with the others:

- Publish descriptive definitions of evidence-based and research-based practices in the areas of child welfare, juvenile rehabilitation, and children's mental health services by September 30, 2012;
- Requires the Department and the Health Care Authority to complete a baseline assessment of utilization of evidence-based and research-based practices are in place in the state in the areas of child welfare, juvenile rehabilitation, and children's mental health services by June 30, 2013. Requires the assessment to include prevention and intervention services provided through Medicaid fee-for-service and healthy options managed care contracts;
- Requires the Department and Health Care Authority to report to the governor and to the appropriate fiscal and policy committees of the legislature on recommended strategies, timelines, and costs for increasing availability of evidence-based and research-based practices in each of the identified areas by December 30, 2013. Requires the Department to provide updated recommendations to the governor and the legislature by December 30, 2014, and by December 30, 2015;
- Requires the Department and Health Care Authority to identify components of evidence-based practices for which federal matching funds might be claimed and seek such matching funds to support implementation of evidence-based practices.

Economic Support Services

HB 2393 New hire/Child Support registry (DSHS Request Legislation)

- Adds the day on which a newly hired or newly rehired employee first performs services for pay as an additional item to the information employers must already report to the Division of Child Support.
- Defines a "rehired employee" as one who was previously employed by the employer but has been separated from such employment for at least sixty consecutive days.
- Improves the ability to collect child support obligations in a timely manner and to make accurate unemployment benefit payments.

SB 6223 Early supplemental security income project (DSHS Request Legislation)

- Repeals RCW 74.04.652, which created the “Early Supplemental Security Income Transition Project.”
- The SSI Transition project, implemented on a limited basis, did not prove to be effective in rapidly moving recipient into the SSI program.

ESHB 2262 Regarding constraints of expenditures for WorkFirst and child care programs

- Requires the WorkFirst program to be operated within amounts appropriated by the Legislature and according to policy set by the Legislature.
- Requires DSHS to provide quarterly expenditure reports to the legislative fiscal committees and the Legislative-Executive WorkFirst Oversight Task Force beginning September 1, 2012.
- Requires as a courtesy that the Caseload Forecast Council forecast the Temporary Assistance for Needy Families and the Working Connections Child Care programs.

Fraud and Benefit Accountability

SSB 6386 Public Assistance Fraud

- Prohibits the use of an electronic benefit transfer (EBT) card by a recipient’s family member who is not the recipient’s authorized representative, an alternative card holder, or protective payee.
- Prohibits the Department from routinely assigning a personal identification number for an EBT card that contains any sequence of numbers that appears on the face of the card, except in case of in-state or national disaster.
- Authorizes the Office of Fraud and Accountability (OFA) to have access to original child care records maintained by child care providers with consent, court order, or valid search warrant.
- Creates a misdemeanor crime to possess two or more EBT cards in certain situations.

Aging and Disability Services

ESHB 2056 Concerning Assisted Living Facilities

- Changes the name of “boarding homes” to “assisted living facilities.”
- Boarding homes are facilities that provide housing and basic services to seven or more residents. Some boarding homes provide assisted living services and have informally been referred to as “assisted living” facilities.

- This will standardize the facility titles and make it easier for the public to understand.

ESHB 2366 Health Professionals to Complete Suicide Assessment, Treatment, and Management

- Beginning January 2014, certified counselors, chemical dependency professionals, marriage and family therapists, mental health counselors, occupational therapist, and others, must every six years, complete training in suicide assessment, treatment, and management.
- Training must be approved by the professional disciplining authority.
- This act is known as the Matt Adler Suicide Assessment, Training, and Management Training Act of 2012.

SSB 6384 Ensuring that Persons with Developmental Disabilities be Given the Opportunity to Transition to a Community Access Program after Enrollment in an Employment Program

- Persons with developmental disabilities who are receiving employment support services must be given a choice to transition to a community program after nine months.
- Community access programs should emphasize support for clients to participate in community activities and support independent living skills.
- Program participants must also be given information about the opportunity to request an exception from enrollment in employment.

SSB 6492 Improving Timeliness, Efficiency, and Accountability of Forensic Resource Utilization Associated with Competency to Stand Trial

- Establishes performance targets for state hospitals related to competency services.
- Allows for appointment of one state forensic evaluator and additional requirements related to evaluations and reports.
- DSHS will develop procedures to monitor clinical status of defendants, will take steps to prevent overstay in the hospital, and will establish written standards for productivity of forensic evaluators.
- DSHS will report annually about the timeliness of competency services. The Joint Legislative Audit and Review Committee will assess, and report on, DSHS progress with performance measures.
- The hospital may administer antipsychotic medications without consent under certain conditions.

ESHB 2314 Concerning Long Term Care Workers

- Makes multiple changes in the implementation of Initiative 1163; clarifying that requirements for enhanced training and home care aide certification began on January 7, 2012, giving workers 120 days after hire or after the bill's effective date, whichever is later, to meet the training requirements and 150 days after these dates to become certified.
- Department of Health will promulgate rules on the scope of practice for certified home care aides and long term care workers.
- Adds provisions governing the delegation of nursing tasks to certified home care aides.

SHB 2139 Establishment of New Regional Support Network Boundaries

- Provides authority for the department to recognize voluntary RSN restructuring without applying procurement processes.

Special Commitment Center

SSB 6493 Sexual predator commitment

- Transfers all powers, duties and functions of state-funded services of legal representation of indigent Sexually Violent Predator civil commitment cases from the Department to the Office of Public Defense.
- Addresses many fiscal and procedural aspects of civil commitment cases involving sexually violent predators.